

ZB# 07-40

Inez Cooper

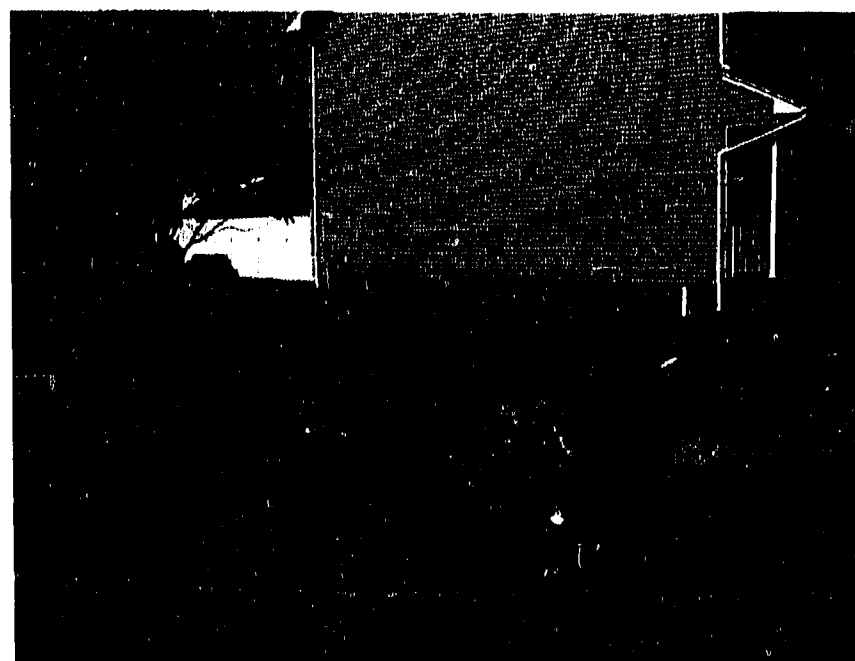
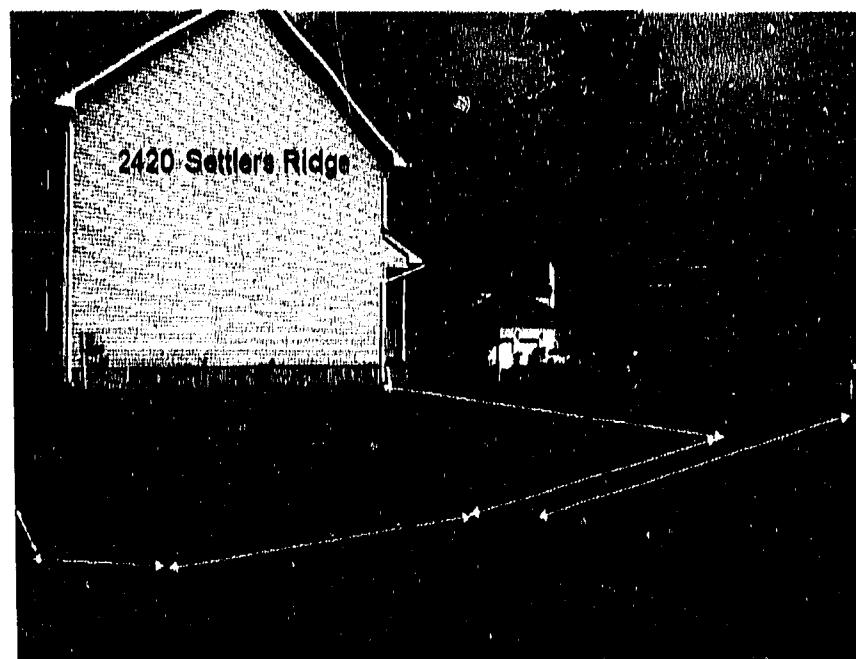
77-8-20

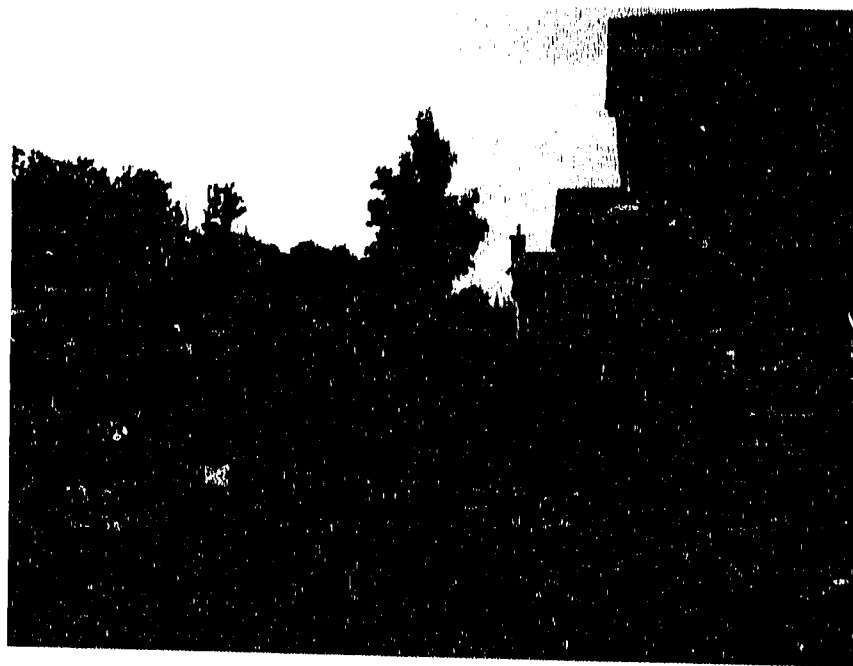
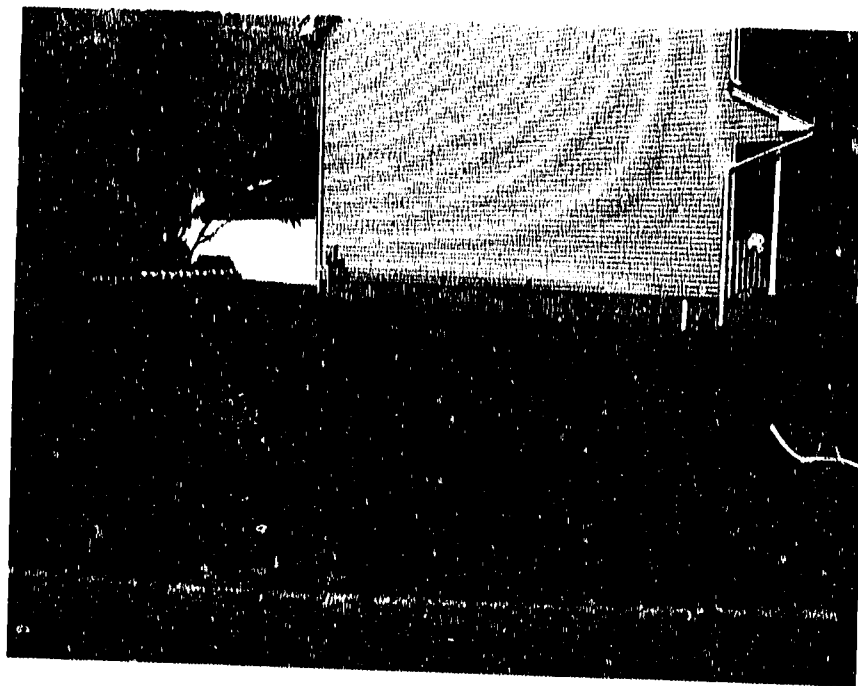
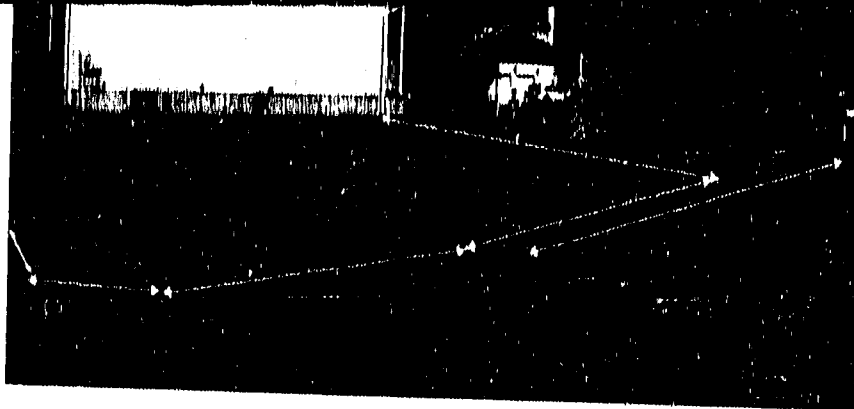
07-40

1 Inez Cooper
2420 Settlers Ridge
(77-8-20)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted 9/10/07





NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-8-20

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

INEZ COOPER

AREA VARIANCE

CASE #07-40

WHEREAS, INEZ COOPER, owner(s) of 2420 Settlers Ridge, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a request for variance to permit a 6ft fence located between the principal building and the street at 2420 Settlers Ridge in an R-3 zone.

WHEREAS, a public hearing was held on September 10, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties in an R-3 zone .
 - (b) The applicant is before the Board because the property in question is so configured that a fence that which appears to be on the side actually projects closer to Settlers Ridge than her house does.

- (c) The applicant will not remove any trees or substantial vegetation to erect the fence.
- (d) The fence will not create the ponding or collection of water or divert the flow of water drainage.
- (e) The fence will not block the vision of motorists on the adjacent roadway or impair the safe operation of motor vehicles on said roadway.
- (f) The fence will not be on nor will it interfere with any easement including, but not limited to water, sewer and electrical easements.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

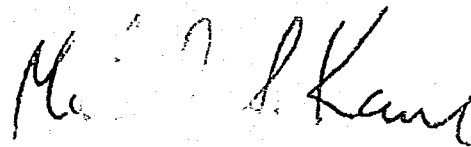
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for variance to permit a 6ft fence located between the principal building and the street at 2420 Settlers Ridge in an R-3 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: September 10, 2007

A handwritten signature in dark ink, appearing to read "Michael J. Kane", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 12-28-07
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 173.34 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-40

NAME & ADDRESS:

**Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553**

THANK YOU,

MYRA

JF 12-28-07
J.F.12-28-07

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: July 3, 2007

**APPLICANT: Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/26/07

FOR : Fence

LOCATED AT: 2420 Settlers Ridge

ZONE: R-3 Sec/Blk/ Lot: 77-8-20

DESCRIPTION OF EXISTING SITE: One family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 6ft. fence will be installed between house and street. This is a corner lot.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: Bulk Tables 300-11-C-1-C

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

Sent applicat 7/6/07
Resent 7/13/07

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final Inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway Inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number and Tax Parcel ID #, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Water and Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

JUN 26 2007

FOR OFFICE USE ONLY:

Building Permit #: 2007-527

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP. DISABILITY & LIABILITY INSURANCE
CERTIFICATES ARE REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR
ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

X Owner of Premises INEZ L COOPER

X Address 2420 Sellers Bridge, New Windsor, N.Y. 12553 Phone # 845-567-1951

Mailing Address _____ Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

☒ State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

☒ 1. On what street is property located? On the _____ side of Sellers Bridge
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

☒ 3. Tax Map Description: Section 77 Block 8 Lot 20

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

☒ 5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other 6 FT. ALUM. fence

6. Is this a corner lot? yes

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

☒ 10. Estimated cost \$7,500.00 approx (material) Fee ϕ

ZONING BOARD

10. Estimated cost: \$7500.00 approx (material) Fee

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

Asst. Inspectors **Frank Lisi & Louis Krychear**
 New Windsor Town Hall
 555 Union Avenue
 New Windsor, New York 12553
 (845) 563-4618
 (845) 563-4695 FAX

Bldg Insp Examined _____
 Fire Insp Examined _____
 Approved _____
 Disapproved _____
 Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

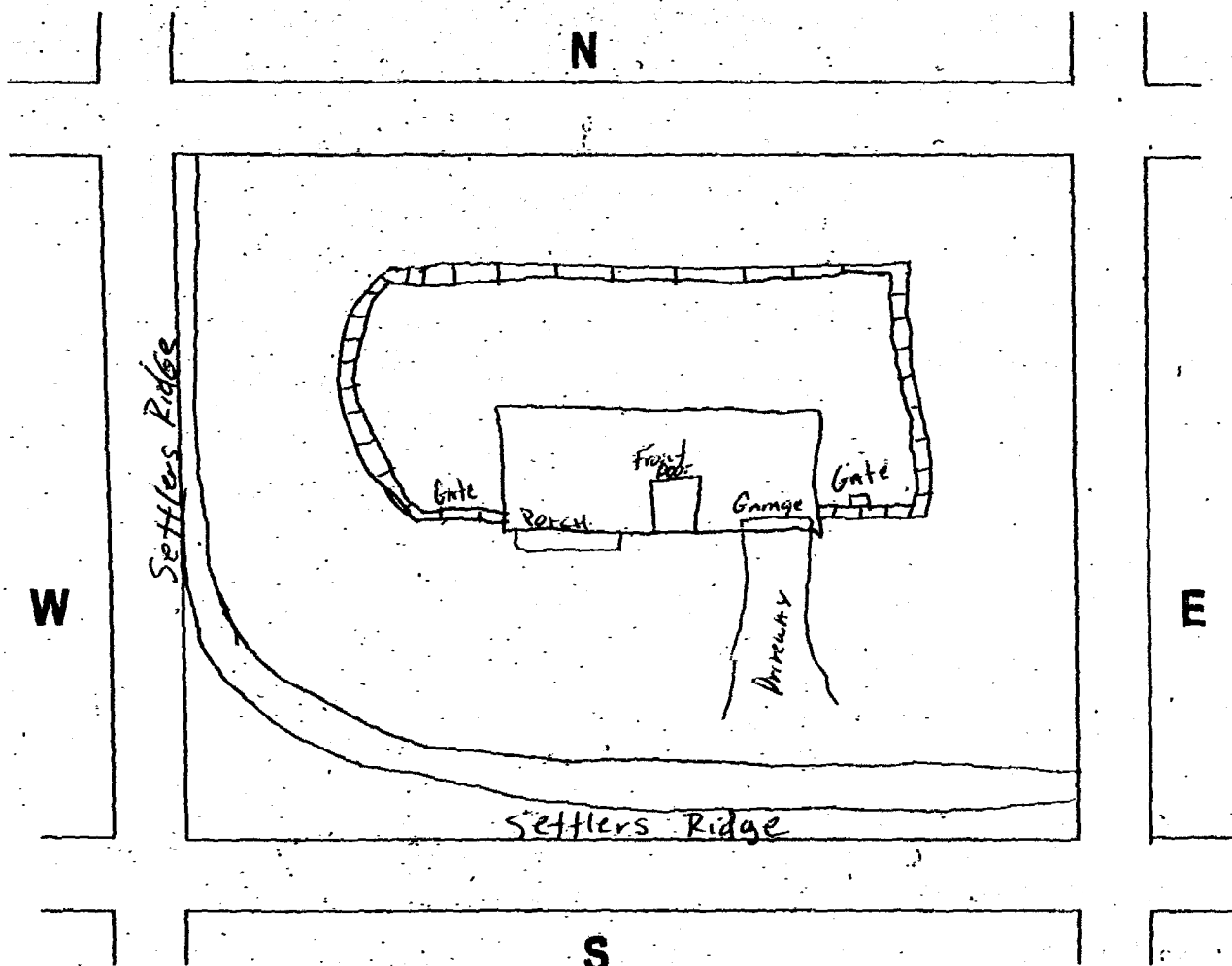
(Owner's Signature)

(Owner's Address)

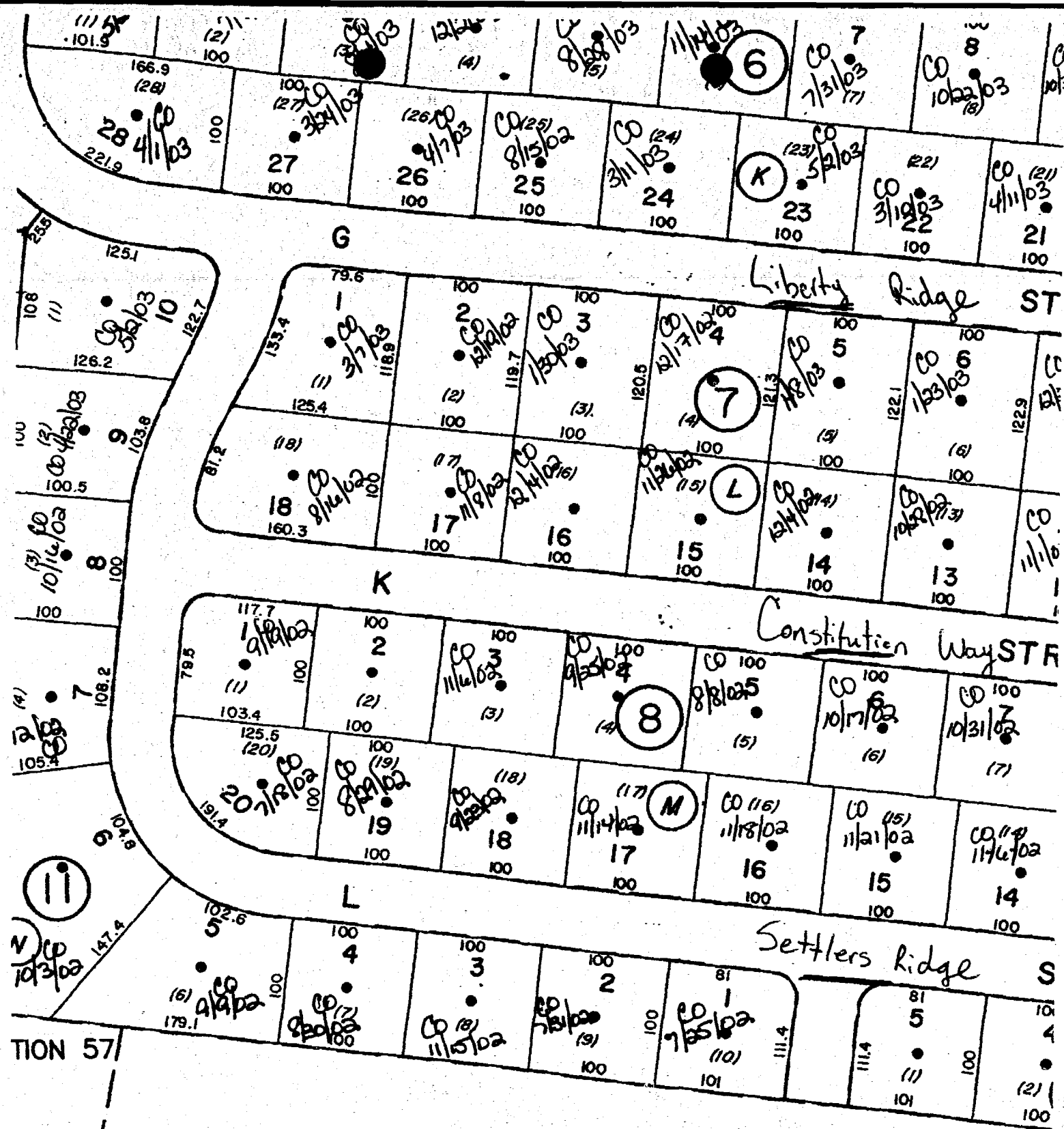
PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



CHUCK GUNDS



SECTION 65

LEGEND

OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.
OWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.
OR SECTION LIMIT	MATCH LINE	AREAS (DEED) 11.1A (CALCULATED) 11.1
		DIMENSIONS (DEED) 66 (CALCULATED)

(4)

32

(DEED) 11.1A (CALCULATED) 11.1

(DEED) 66 (CALCULATED)

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 12-28-07
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 173.34 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #07-40

NAME & ADDRESS:

**Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553**

THANK YOU,

MYRA

J.F.12-28-07



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #07-40 TYPE:AREA TELEPHONE: 845-567-1856

APPLICANT:

Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #197
COMMERCIAL	\$ 150.00	CHECK #_____
INTERPRETATION	\$ 150.00	CHECK #_____

ESCROW: RESIDENTIAL \$300.00 CHECK #198



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	<u>\$ 21.00</u>	<u>\$ 35.00</u>
2 ND PRELIMINARY:	—	PAGES	<u>\$ _____</u>	<u>\$ _____</u>
PUBLIC HEARING:	<u>3</u>	PAGES	<u>\$ 21.00</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	—	PAGES	<u>\$ _____</u>	<u>\$ _____</u>

LEGAL AD: Publish Date:08-28-07 \$ 14.66

TOTAL: \$ 56.66 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 126.66

AMOUNT DUE: \$ _____

REFUND DUE: \$ 173.34

Cc:

J.F.12-28-07



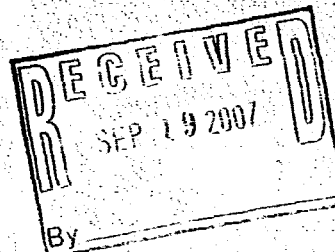
THE SENTINEL

P.O. BOX 406
VALS GATE, NY 12584

Invoice

Date	Invoice #
9/13/2007	775

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553



P.O. No.	Terms	Project
M.U.		

Issue Date	Description	Rate	Amount
8/28/2007	LEGAL ADS: 07-37 ZALOGA 1 AFFIDAVIT	11.45 4.00	11.45 4.00
8/28/2007	LEGAL ADS: 07-36 MICHAEL PISACRETA 1 AFFIDAVIT	14.61 4.00	14.61 4.00
8/28/2007	LEGAL ADS: 07-38 McLOUGHLIN 1 AFFIDAVIT	12.64 4.00	12.64 4.00
8/28/2007	LEGAL ADS: 07-40 COOPER 1 AFFIDAVIT	10.66 4.00	10.66 4.00
8/28/2007	LEGAL ADS: 07-42 STEVEN LARMON 1 AFFIDAVIT	11.45 4.00	11.45 4.00
8/28/2007	LEGAL ADS: 07-41 STANFORD 1 AFFIDAVIT	11.06 4.00	11.06 4.00
		Total	\$95.87

**PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 07-40

Request of INEZ COOPER

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance to permit a 6ft fence located between the principal building and the street at 2420 Settlers Ridge in an R-3 zone (77-8-20)

PUBLIC HEARING will take place on SEPTEMBER 10, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 PM.

Michael Kane, Chairman

State of New York

County of Orange, ss:

Kathleen O'Brien being duly sworn disposes and says that she is the Supervisor of Legal Dept. of the E.W. Smith Publishing Company, Inc., Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published in said newspaper, 1 time (s) commencing on

the 28th day of August A.D., 2007

and ending on the 28th day of

August A.D. 2007

Kathleen O'Brien

Subscribed and shown to before me, this 19th day of Sept, 2007.

Deborah Green

Notary Public of the State of New York
County of Orange.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4984065
Commission Expires July 15, 2011

My commission expires _____.

September 10, 2007

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INEZ_COOPER_(07-40)

MS. GANN: Request for variance to permit a 6 foot fence located between the principal building and the street at 2420 Settlers Ridge.

MS. COOPER: Inez Cooper, I live at 2420 Settlers Ridge. I'm requesting a 6 foot fence, I'm a corner lot.

MS. GANN: Mike, she's here because she's on a side yard?

MR. BABCOCK: Well, Settlers Ridge has got a bend in it, goes around the edge of her property, I don't know if you've seen the map that she drew so on the front of her house it actually the fence goes out if you're looking at her house out the side which actually projects closer to Settlers Ridge than her house does, therefore, she requires a variance.

MS. GANN: What's the purpose of the fence?

MS. COOPER: Just to protect family and keep wildlife off.

MS. GANN: What kind of fence are you putting up?

MS. COOPER: Aluminum.

MS. GANN: Going around the entire house?

MS. COOPER: Just coming off the sides onto the back.

MS. GANN: Will you be taking any substantial vegetation down to put up the fence?

MS. COOPER: No.

MS. GANN: Creating water hazards if you put the fence

September 10, 2007

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up?

MS. COOPER: No.

MR. BABCOCK: Would you like to see a survey maybe from here you can see the angle of her house and the way the road rotates around her house so the rear of her house when she puts the side, the side she's closer to the street.

MR. TORPEY: Yeah, there's one, a good one here.

MS. GANN: In your opinion, would you think that in building of the fence it would block any of the vision of the folks trying to drive around that area?

MS. COOPER: No, I don't.

MS. GANN: Will this be going over any easements that you know of?

MS. COOPER: No.

MR. LUNDSTROM: Madam Chairwoman, one question, Inez, why a 6 foot as opposed to a 4 foot fence?

MS. COOPER: I just feel like it's more secure than a 4 foot, I think it will look nicer as well.

MR. TORPEY: Privacy?

MS. COOPER: Well, it's aluminum but yeah.

MR. LUNDSTROM: Now you're saying aluminum chain link fence?

MS. COOPER: No, it's more like a picket type fence, it's aluminum but picket type.

MS. GANN: At this point, I'd like to open it up to the

September 10, 2007

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public, ask if anyone's here for this particular meeting? Seeing that there's not, I'll close the public portion, ask Myra how many mailings we had.

MS. MASON: On August 28, I mailed out 43 addressed envelopes, had no response.

MS. GANN: I will accept a motion.

MR. TORPEY: I'll make a motion that we grant Inez Cooper the variance as requested.

MR. LUNDSTROM: I'll second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. GANN	AYE

August 13, 2007

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INEZ_COOPER_(07-40)

MR. KANE: Request for variance to permit a 6 foot fence located between the principal building and the street at 2420 Settlers Ridge.

Ms. Inez Cooper appeared before the board for this proposal.

MR. KANE: Just speak loud enough, name and address for the young lady to hear you.

MS. COOPER: I'm at 2427 Settlers Ridge. I have a corner lot and I'm interested in getting a 6 foot fence. The main purpose is for safety and security of my family as well as to set boundaries for the other neighbors and try to keep the wildlife off my property. And that's pretty much it. I did submit pictures.

MR. TORPEY: Those are pretty good pictures.

MS. COOPER: Thank you.

MR. TORPEY: You should teach everybody how to do that.

MR. KANE: In putting up the fence, going to be cutting down any trees, substantial vegetation?

MS. COOPER: No.

MR. KANE: Creating any water hazards or runoffs?

MS. COOPER: No.

MR. KANE: You're on a corner lot and street goes by, how far off the curb is the fence going to be?

MS. COOPER: Well, they did put the right-of-way, they do have the markings down and I'm within that.

August 13, 2007

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MR. KANE: So at a 6 foot fence, the fence is not going to inhibit the view of any motorists coming down the road?

MS. COOPER: It's not a privacy fence, it's aluminum so it's actually see-through.

MR. KANE: Then it's nothing that's going to inhibit a person's view?

MS. COOPER: No, it's not.

MR. KANE: Let the record show the pictures actually show that too. Any easements going through the area where you're planning on putting the fence?

MS. COOPER: No.

MR. KANE: You said that's a regular chain link aluminum?

MS. COOPER: Picket type fence aluminum.

MR. KANE: Any further questions from the board?

MS. LOCEY: Why is she here because she wants a 6 foot fence?

MR. KANE: Because she can't have a 6 foot fence.

MS. LOCEY: As opposed to a 4 foot or because it's on a corner lot?

MR. KANE: Six foot in the front.

MR. KRIEGER: Four foot in the front, she has two front yards because she's on a corner lot.

MR. KANE: Four foot she wouldn't be here.

August 13, 2007

10

MS. LOCEY: Why do you feel you need a 6 foot as opposed to 4 foot?

MS. COOPER: Animals would jump over a 4 foot fence and I'm going to have children, I want to keep them safe.

MR. BABCOCK: The other thing that the applicant to help the applicant a little bit is only part of the fence would be required to be 4 foot so probably wouldn't look very nice to have a 6 foot and then in the same line unless you cornered it off.

MS. LOCEY: Okay, that makes sense.

MR. KANE: I'll accept a motion if there's no further questions.

MS. LOCEY: I'll offer a motion to schedule a public hearing on the application of Inez Cooper as detailed in the agenda of the August 13, 2007 New Windsor Zoning Board of Appeals meeting.

MR. TORPEY: I'll second that motion.

ROLL CALL

MR. TORPEY	AYE
MS. LOCEY	AYE
MR. LUNDSTROM	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: Sept. 10, 2007

PROJECT: Inez Cooper ZBA # 07-40

P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒
VARIANCE APPROVED: M) T S) Lu VOTE: A 3 N 0.

GANN A
LUNDSTROM A
~~LOCEY~~ A
TORPEY A
~~KANE~~ _____

CARRIED: Y ☒ N _____

No Public Comment

Sept. 10, 2007

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

INEZ COOPER

#07-40

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:


That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 28TH day of AUGUST, 2007, I compared the (43) addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra Mason
Myra L. Mason, Secretary

10th day of September, 2007


Notary Public

JENNIFER GALLAGHER
Notary Public, State of New York
No. 01GA6050024
Qualified in Orange County
Commission Expires 10/30/10

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

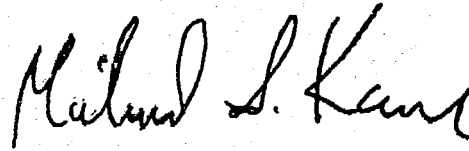
Appeal No. 07-40

Request of INEZ COOPER

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance to permit a 6ft fence located between the principal building and the street at 2420 Settlers Ridge in an R-3 zone (77-8-20)

PUBLIC HEARING will take place on SEPTEMBER 10, 2007
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.

A handwritten signature in black ink, appearing to read "Michael S. Kane", written over a horizontal line.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

August 8, 2007

Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553

RECEIVED

AUG 13 2007

BUILDING DEPARTMENT

Re: 77-8-20 ZBA#: 07-40 (43)

Dear Ms. Cooper:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00 minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/rah
Attachments

CC: Myra Mason, Zoning Board



57-1-28 RICHARD & CHRISTINE OSTNER 82 BETHLEHEM RD. NEW WINDSOR, NY 12553	77-7-4 TODD & KELLY BELANGER 2619 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-8-2 RAGOTHAM & FAUSTIN VENKATESH 2517 CONSTITUTION WAY NEW WINDSOR, NY 12553
64-2-38 JUAN & LUZ RUIZ 2629 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-5 MARC VALENTINO & COLLEEN GARVEY 2617 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-8-3 ERNEST & GERMAINE BROWN 2515 CONSTITUTION WAY NEW WINDSOR, NY 12553
77-6-24 IRINA SIMKNOVICH 2620 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-6 KENNETH & ANNETTE MCTIGUE 2615 LIBERTY RIDGE NEW WINDSOR, NY 12553 77-7-13	77-8-4 JEFFREY & LORE HANNES 2513 CONSTITUTION WAY NEW WINDSOR, NY 12553
77-6-25 JOSEPH & VICTORIA PECORARO 2622 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-13 ROOMA DUA 2508 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-5 CLEMENTINA IMOBHIO 168 HILLSIDE AVE. MT. VERNON, NY 10553
77-6-26 MARK MONTE & JOCELYN PACATANG 2624 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-14 PATRICK MANNION 2510 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-6 RODNEY & SOPHIA GOITIA 2509 CONSTITUTION WAY NEW WINDSOR, NY 12553
77-6-27 CHARLES GRADY & EMILY SMITH 2626 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-15 EARL & LATOYA RATTRAY 2512 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-7 THOMAS & GINA SMITH 2507 CONSTITUTION WAY NEW WINDSOR, NY 12553
77-6-28 ARJUN SINGH 2628 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-16 KEITH HOLLOWAY 2514 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-14 BRENT & MELISSA RIDENOUR 2408 SETTLERS RIDGE NEW WINDSOR, NY 12553
77-7-1 ROBERT & ALMA APONTE 2625 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-17 CHRISTINE & KEVIN BRELESKY 2516 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-15 JASON & GRACE VAZQUEZ 2410 SETTLERS RIDGE NEW WINDSOR, NY 12553
77-7-2 AMUNATEQUI & ANA ROSARIO 2623 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-7-18 JEFFREY & AMY DUNKO 2518 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-16 MING QIANG WANG & ZHAO LIN 2412 SETTLERS RIDGE NEW WINDSOR, NY 12553
77-7-3 NADIA SEEWAH & VIDIA ROOPCHAND 2621 LIBERTY RIDGE NEW WINDSOR, NY 12553	77-8-1 FAUSTO & AWILDA FIENCO 2519 CONSTITUTION WAY NEW WINDSOR, NY 12553	77-8-17 DASHAWN & DAMARIS JONES 2414 SETTLERS RIDGE NEW WINDSOR, NY 12553

77-8-18
RONALD YEADON
2416 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-8
SANTOS & JUANA SEPULVEDA
2425 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-8-19
HERZOG L. BRETT
2418 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-9
NANJAPPA VASUDEVA
2427 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-10-5, 77-12-1
MT. AIRY ESTATES INC.
C/O SARNA ENTERPRISES
15 ENGLE ST. STE 100
ENGLEWOOD, NJ 07631

77-11-10
ANGELA ROMAN &
SONIA GUZMAN
2429 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-1
RONALD & SABRINA PRAN
2411 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-2
RYAN & KERRY FITZGERALD
2413 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-3
RICHARD & TAMMY EVANS
2415 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-4
VICTOR REICH &
LOIS LUGO REICH
2417 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-5
EROL OZKURAL
2419 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-6
LOUELLA GONSALVES
2421 SETTLERS RIDGE
NEW WINDSOR, NY 12553

77-11-7
JOSE RODRIGUEZ & SHANTELLA
BAILEY
2423 SETTLERS RIDGE
NEW WINDSOR, NY 12553

● TOWN OF NEW WINDSOR ●
REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: _____

DATE: 08-07-07

PROJECT NUMBER: ZBA# 07-40 P.B. # _____

APPLICANT NAME: Inez Cooper

PERSON TO NOTIFY TO PICK UP LIST:

Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553

TELEPHONE: 845-567-1856

TAX MAP NUMBER: SEC. 77 BLOCK 8 LOT 20
 SEC. _____ BLOCK _____ LOT _____
 SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 2420 Settlers Ridge
New Windsor, NY 12553

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 199

TOTAL CHARGES: _____

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 8/6/07

FOR: Escrow 07-40

FROM:

Inez Cooper
2420 Settlers Ridge
New Windsor, NY 12553

CHECK FROM:

same

CHECK NUMBER: 198

TELEPHONE: 845-561-1856

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

<u>J. Fungua</u>	<u>8-7-07</u>
NAME	DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA 07-40

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#598-2007

08/07/2007

Cooper, Inez L.

Received \$ 50.00 for Zoning Board Fees, on 08/07/2007. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

July 16, 2007
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. Owner Information:

e-mail address: ICOOPL69@AOL.Com

Phone Number: (845) 567-1956

Fax Number: (845) 567-1956

James L Cooper
(Name)

2420 Settlers Ridge, New Windsor, N.Y. 12553
(Address)

II. Applicant:

e-mail address: ICOOPL69@AOL.Com

Phone Number: (845) 567-1956

Fax Number: (845) 567-1956

James L Cooper
(Name)

2420 Settlers Ridge, New Windsor, N.Y. 12553
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ()

Fax Number: ()

(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ()

Fax Number: ()

(Name)

(Address)

V. Property Information:

Zone: R-3

Property Address in Question: 2420 Settlers Ridge

Lot Size: _____

Tax Map Number: Section 77 Block 8 Lot 20

a. Is pending sale or lease subject to ZBA approval of this Application? no

b. When was property purchased by present owner? August 1, 2002

c. Has property been subdivided previously? no If so, When: _____

d. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? no

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VI. USE VARIANCE:

Use Variance requested from New Windsor Zoning Local Law,

Section_____, Table of_____ Regs., Col. _____.

Describe proposal: _____

- VII.** The legal standard for a "Use Variance" is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the Use Variance is granted. Also state any efforts you have made to alleviate the hardship other than this application.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

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**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. **In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS SPECIFICALLY:

1. Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; I applied for a Building Permit. It was Denied. (See Attachment)
2. Whether the requested area variance is substantial; I would say no. The fence will be within the property line. As well as being within the towns right of way. The marking are tagged.
3. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; It will not have an adverse effect on anything. Its a Picketed Type Aluminum fence that will not hinder any visuals.
4. Whether the alleged difficulty was self-created. No, I just happen to have a corner lot, where further steps need to take place.

**After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I am most concerned about the security of my family. It will also set boundaries and animal control. Its a see through fence that will not interfere with the view of motorists.

PLEASE NOTE:

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**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1			
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs _____?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____

- (b) Describe in detail the proposal before the Board:

PLEASE NOTE:

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☒ Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - ☒ One in the amount of \$ 300.00 or 500.00 (escrow)
 - ☒ One in the amount of \$ 50.00 or 150.00 (application fee)
 - ☒ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☒ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

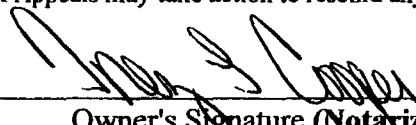
) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

16th day of July 2007.


Owner's Signature (Notarized)

INEZ L COOPER
Owner's Name (Please Print)


Signature and Stamp of Notary

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

HOUSTON GRANVILLE
No. 01GR6094827
Notary Public, State of New York
Qualified in Bronx County
My Commission Expires June 30, 2011

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

_____, deposes and says that he resides
(OWNER)
at _____ in the County of _____
(OWNER'S ADDRESS)
and State of _____ and that he is the owner of property tax map
(Sec. _____ Block _____ Lot _____)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: _____

Sworn to before me this:

_____ day of _____ 20_____

**

Owner's Signature (MUST BE NOTARIZED)

Applicant's Signature (If different than owner)

Signature and Stamp of Notary

Representative's Signature

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY
OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA
MEETINGS.**

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Inez L. Cooper</i>	2. PROJECT NAME <i>6' Aluminum Fence</i>
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>2420 Settlers Ridge</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>6' Aluminum Fence to be installed between house and street Settlers Ridge (Continuation)</i>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: <i>Corner lot, Side Yard.</i>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Inez L. Cooper</i>	Date: <i>7-16-07</i>
Signature: <i>Inez L. Cooper</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality; surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: 	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><hr/><div style="text-align: center; font-size: small;">Name of Lead Agency</div></div><div style="width: 45%;"><hr/><div style="text-align: center; font-size: small;">Title of Responsible Officer</div></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%;"><hr/><div style="text-align: center; font-size: small;">Print or Type Name of Responsible Officer in Lead Agency</div></div><div style="width: 45%;"><hr/><div style="text-align: center; font-size: small;">Signature of Preparer (If different from responsible officer)</div></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%;"><hr/><div style="text-align: center; font-size: small;">Signature of Responsible Officer in Lead Agency</div></div><div style="width: 45%;"><hr/><div style="text-align: center; font-size: small;">Date</div></div></div>	



TOWN OF NEW WINDSOR
 (845) 563-4615 (MYRA MASON)
ZONING BOARD APPLICATION PACKAGE



PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (COMPLETE ONLY THE PAGES WITH HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified) TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

*

ESCROW

THIS IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

COMPLETE ONLY THE PAGES WITH CHECKED BOX IN CORNER OF PAGE. PLEASE SUBMIT ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified).

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH **YOUR** RETURN ADDRESS AND A REGULAR \$~~.35~~^{.44} STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH **"NOTICES OF PUBLIC HEARING"** TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

ZONING BOARD OF APPEALS

TO ALL ZONING BOARD OF APPEALS APPLICANTS:

Please note the attached letter from Orange County Department of Planning asking that referrals be made to their office for review.

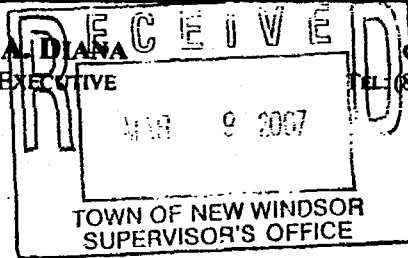
Due to this request, your application will be sent to Orange County Department of Planning for review. We are hoping to do this in a way that does not add to the time it normally takes to seek a variance.

Thank you for your cooperation in this matter.

ZONING BOARD OF APPEALS

**COUNTY OF ORANGE****DEPARTMENT OF PLANNING**

EDWARD A. DIANA
COUNTY EXECUTIVE



124 MAIN STREET

GOSHEN, NEW YORK 10924-2124

TEL: (845)291-2318 FAX: (845)291-2533

DAVID CHURCH, A.I.C.P.
COMMISSIONER

5 March, 2007

POLICY REMINDER**REFERRAL OF CERTAIN MUNICIPAL PERMITS AND ACTIONS**

to COUNTY PLANNING as per NYS GENERAL MUNICIPAL LAW §239 L, M & N

NEW POLICY GUIDEBOOK ATTACHED

As an essential part of Orange County's renewed interest and involvement in planning and development policy, the Planning Department continues to gain staff capability and expertise. The Orange County Planning Department reviews all projects that meet the requirements of Section 239 of the NYS General Municipal Law (GML §239) for County referrals. Please be sure that your municipality is sending the required applications that come under the provisions of GML § 239. Keep in mind that if there is a project that falls under the non-mandatory review requirement, we will be glad to review it upon request of a municipal official.

A new guidebook is attached detailing the NYS GML §239 referral process here in Orange County. Additional copies of this guidebook can be downloaded at www.orangecountygov.com/planning.

As a refresher, prior to making a decision on certain permits or actions, GML § 239 requires that you send to County Planning a copy of the complete application for the following "proposed actions" that are within 500 feet of the properties or thresholds listed in the statute (GML § 239-m (3)):

1. The adoption of a municipal comprehensive plan, zoning ordinance or law, or an amendment to either one;
2. The granting of a use or area variance;
3. The issuance of special use permits;
4. Site plans for residential uses;
5. Site plans for non-residential uses;
6. Subdivisions plats;
7. Other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law.

Proposed "actions" must be referred to County Planning prior to your decision if they apply to real property within five hundred (500) feet of the following:

1. The boundary of any city, village or town;
2. The boundary of any existing or proposed county or state park or any other recreation area;